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TINICUM CREEK WATERSHED ASSOCIATION

May 22, 1996

Ruth Scharr
Remedial Project Manager
US EPA Region III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

**RE: Comments to the Proposed Plan
for the Revere Chemical Site
Nockamixon Township, Pennsylvania**

Dear Ms. Scharr:

This letter summarizes the comments of the Tinicum Creek Watershed Association relative to the Proposed Plan advertised by your department. We reserve the right to provide additional comments, particularly pertaining to the institutional controls, since a review of the Administrative Record file at Nockamixon Township did not appear to specify the full nature of the proposed deed restrictions.

1. Groundwater - Acknowledging that the US EPA has limited options available in remediation the shallow groundwater unit, and as such is recommending no remediation program for the groundwater, the Proposed Plan notes on page 10 that the "shallow water unit eventually discharges to the on-site tributaries of Rapp Creek." The Tinicum Creek Watershed Association is concerned about this contaminated water flow reaching Rapp Creek, the headwaters of the Tinicum Creek watershed. It is noted that the US EPA has determined there is no risk to human health presented by the contaminated water since there are no exposure pathways, particularly there are no drinking wells on site. There is, however, a obvious pathway once the waters have entered the stream. While the levels of contamination appear to diminish as the water passes further from the Revere site, we would request that some type of remediation of Rapp Creek waterway be contemplated.
2. Stream Sediments - Having noted that the aquatic community has been, and continues to be, diminished by the stormwater runoff from the site, we would recommend two items be added to the Proposed Plan. First, that some attempt be made to remove the contaminants that have entered the stream, be it be the removal of sediment or a filtering process. Second, and perhaps more important, that the deed restrictions placed upon the property requiring that all vegetation, to be supplemented, within five hundred (500) feet of each and every tributary and

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branch of the stream, on or adjacent to the site, be deed restricted against disturbance, development or use. This is the only way to fully maintain the nature vegetative buffer which will trap sediments leaving the site. The restrictions placed on this buffers should prohibit all disturbance, including, but not limited the installation of sewage systems, stormwater pipes or management components, roads, and structures. A clear and well defined maintenance plan should also be recorded with the deed restriction which clearly limits activities effecting the vegetation, prescribing what maintenance or replacing is permitted and in what manner such work must be performed.

3. Description of No Action Alternative - It is unacceptable that stream corridor monitoring be discontinued. The US EPA should note the current or pending status of the Tinicum Creek watershed, including Rapp Creek in its entirety, under the Pennsylvania Scenic River and Exceptional Value designations. It should also be aware of the study status of these streams under the Federal Wild and Scenic River Act, under which the streams have already been determined to be eligible pursuant to the feasibility study completed by the National Park Service. It appears that the US EPA is stating that the monitoring provided under the OU1 would provide sufficient protection to the stream. Any monitoring program, be it under the OU1 or the OU2 should continue for a period of fifteen (15) years or more to fully account for any increase in the release of contaminants as a result of the future development or use of the property. Further, a deed restriction should be established that any and all future use or development activities require the owner install and maintain a permanent stream monitoring program and an enforcement program, both items to be fully prescribed. Only if the property were fully deed restricted against any future use would a lesser term of monitoring be acceptable.
4. Basis for the No-Action Alternative - While the US EPA bases the "no-action" determination on maximum exposure scenarios it ignores the historic and future adverse impact to the Tinicum Creek watershed. The continued, long term degradation or contamination of any portion of Rapp Creek is not acceptable. While the US EPA suggests that the "probable" source of macroinvertebrate impacts will be contained by the OU1 remedy, addition protections or actions are considered appropriate. It is our believe that the greatest future threat to the stream by this site would be a result of any future development or use of the tract, thus extensive and restrictive deed restrictions are appropriate.
5. Institutional Controls/Deed Restrictions - We believe that institutional controls, primarily deed restrictions, are the most cost effective method available to ensure a limit of impacts to the Tinicum Creek watershed system. Since the specific nature of these controls do not appear to have been provided we would request that an outline of the proposed restrictions be provided for public comment prior to the Record of Decision being issued. Our organization would welcome the opportunity to participate in a discussion with the US EPA regarding this issue.

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If you have any questions regarding these comments, please contact me at (610) 294-9830.

Very truly yours,



Damon Aherne
Tinicum Creek Watershed Association

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